

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Rasmussen et al.

Attorney Docket No. ACAS-1-1037

Serial No. 10/786,583

Group Art Unit: 3617

Filing Date: February 23, 2004

Examiner: Stormer, R.D.

Title: SNOWMOBILE DRIVE TRACK

Confirmation No. 4358

RESPONSE TO OFFICE ACTION

TO THE COMMISSIONER OF PATENTS:

AMENDMENT AND RESPONSE

The Office Action mailed August 11, 2006 has been received and reviewed. Favorable reconsideration of pending claims is requested in view of the following amendment and response.

Amendments to the claims begin on page 2.

Remarks begin on page 5.

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IN THE CLAIMS:

1-6. (Canceled)

7. (Previously Presented) An endless drive track for a snowmobile, comprising a base and traction lugs integrally formed with the base, the traction lugs extending upward from the base and extending across substantially all of a width of the base, wherein the traction lugs are inclined relative to normal to the base and wherein the traction lugs comprise a first set of traction lugs inclined away from a track travel direction and a second set of travel lugs inclined toward a track travel direction.

8-11. (Canceled)

12. (Currently Amended) An endless drive track for a snowmobile, the track having an outer periphery comprising:

a base including an outer side; and

traction lugs extending outward from the outer side of the base, each of said lugs having a width extending across a substantial portion of a width of the base, the lugs comprising a lower portion having a first angle of inclination relative to normal to the base and an upper portion having a second angle of inclination relative to normal to the base, the second angle being greater than the first angle.

13. (Previously Presented) The endless drive track of claim 12, wherein the first angle of inclination is in the range from 5 to 45 degrees.

14. (Previously Presented) The endless drive track of claim 13, wherein the first angle is in the range from 5 to 30 degrees.

15. (Previously Presented) The endless drive track of claim 13, wherein the first

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angle is in the range from 5 to 15 degrees.

16. (Previously Presented) The endless drive track of claim 12, wherein there is an inflection point between the upper and lower portion.

17. (Currently Amended) ~~The endless drive track of claim 12, a~~
~~An endless drive track for a snowmobile, the track having an outer periphery, the track comprising:~~

a base including an outer side; and

traction lugs extending outward from the outer side of the base, the lugs comprising a lower portion having a first angle of inclination relative to normal to the base and an upper portion having a second angle of inclination relative to normal to the base, the second angle being greater than the first angle;

wherein the lower portion has a first leading face having a first leading face angle and the upper portion has a second leading face having a second leading face angle, the first leading face angle being about 14 degrees and the second leading face angle being about 20 degrees.

18. (Currently Amended) ~~The endless drive track of claim 12, a~~
~~An endless drive track for a snowmobile, the track having an outer periphery, the track comprising:~~

a base including an outer side; and

traction lugs extending outward from the outer side of the base, the lugs comprising a lower portion having a first angle of inclination relative to normal to the base and an upper portion having a second angle of inclination relative to normal to the base, the second angle being greater than the first angle;

wherein the lower portion has a trailing face having a first trailing face angle and wherein the upper portion has a trailing face having a second trailing face angle, the first trailing face angle being about equal to 3 degrees and the second trailing face angle being about equal to 11 degrees.

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19. (Previously Presented) A method for using an endless track, the method comprising:

providing a snowmobile;

providing a track comprising

a base; and

traction lugs integrally formed with the base, the traction lugs extending upward from the base and extending across substantially all of a width of the base, the traction lugs being inclined relative to normal to the base; and

selectively securing the track to the snowmobile with one of having the traction lugs inclined toward a track direction of travel and having the traction lugs inclined away from the track direction of travel.

20. (Previously Presented) The method of claim 19, wherein the track bears indicia indicating orientations of the traction lugs suitable for hill climbing and deep snow; the selected track lug orientation being based on the intended use of the track in conjunction with the indicia formed on the track.

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REMARKS

The Office Action mailed August 11, 2006 has been received and reviewed. Claims 7 and 12-20 are pending. Claims 7, 19, and 20 are allowed. Claims 12-16 are rejected. Claims 17 and 18 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including the limitations of the base claim and all intervening claims. Applicant thanks the Examiner for his indication of allowable subject matter. Applicant will address the remaining concerns below.

Claims 12-20 are rejected under 35 U.S.C. §102(b) as being anticipated by Rubel (U.S. Patent No. 5,980,001). Applicant respectfully asserts that anticipation has not been established with respect to claim 12 as currently amended. Claim 12 recites traction lugs “extending outward from the outer side of the base, each of said lugs having a width extending across a substantial portion of a width of the base, the lugs comprising a lower portion having a first angle of inclination relative to normal to the base and an upper portion having a second angle of inclination relative to normal to the base, the second angle being greater than the first angle.”

Rubel discloses only a small metal post or stud having an angled face. The stud of Rubel does not extend across a substantial portion of the width of a base. Furthermore, Rubel does not render the claimed invention obvious. As noted in the specification the novel traction lug claimed is designed to pack the snow to prevent shearing of the snow by the track, thereby increasing traction. The stud of Rubel does not relate to the problem of shearing of snow. Studs are used primarily to provide traction on icy surfaces where shearing is not likely. Accordingly, Rubel does not teach or suggest modification to achieve Applicant’s invention. Furthermore, it would vitiate the purpose of the stud of Rubel to modify the stud to extend across a substantial width of a base, such as a track. The stud would no longer provide the same gripping functionality on icy surfaces.

Claims 13-16 are dependent on allowable claim 12 and are therefore allowable for at least

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the reasons discussed hereinabove.

Claims 17 and 18 have been rewritten in independent form, including all of the limitations of claim 12, and are therefore allowable.

CONCLUSION

In view of the foregoing, Applicants believe the claims to be in condition for immediate allowance. The Examiner is invited to call the undersigned to resolve any questions or concerns that may be resolved by a telephone conference.

Respectfully submitted,

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